



Docket No.: 043956-0121

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : Customer Number: 20277  
Brian D. PH.D. MARIANI : Confirmation Number: 6416  
Application No.: 10/829,474 : Group Art Unit: 1634  
Filed: April 22, 2004 : Examiner: Sitton, Jehanne Souaya  
For: ENTEROVIRUS PRIMERS AND PROBES

RESPONSE TO RESTRICTION REQUIREMENT

Mail Stop Restriction Requirement  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This is in response to the Office Action of January 13, 2006, in this application.  
Restriction is now required between the inventions identified as those of Groups I-III:

- Group I** Claims 1-13, 21 and 22, drawn to oligonucleotides for detecting enterovirus, classified in class 536, subclass 23.1;
- Group II** Claims 14-18, drawn to methods of detecting enterovirus, classified in class 435, subclass 6; and
- Group III** Claims 19-20, drawn to methods of identifying compounds capable of inhibiting enteroviral growth, classified in class 435, subclass 6.

In response to this requirement, Applicant elects with traverse the invention of Group I, directed to claims 1-13, 21 and 22, for prosecution in this application.

It is believed that the above represents a complete response to the Official Action and reconsideration is now in order.

Applicant also explicitly reserves the right to pursue the remaining claims in divisional applications.

Serial No.: 10/829,474

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

McDERMOTT WILL & EMERY LLP

Date: 2-8-2006

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**Please recognize our Customer No. 20277  
as our correspondence address.**